

ORIGINAL

(Rev. 5/05)

FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT  
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983

FILED

FEB 16 2005

U.S. DISTRICT COURT  
DISTRICT OF DELAWAREIN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE(1) DONALD WARD 141205  
(Name of Plaintiff) (Inmate Number)D.C.C. 1181 Paddock Rd Smyrna, Del. 19977  
(Complete Address with zip code)(2) \_\_\_\_\_  
(Name of Plaintiff) (Inmate Number)06 - 106

(Case Number)

(to be assigned by U.S. District Court)

(Complete Address with zip code)

(Each named party must be listed, and all names  
must be printed or typed. Use additional sheets if needed)

vs.

## CIVIL COMPLAINT

(1) WARDEN: THOMAS CARROL(2) DEPT WARDEN: DAVID PIERCE(3) CAPT. CARL HAZZARD  
(Names of Defendants)(Each named party must be listed, and all names  
must be printed or typed. Use additional sheets if needed)• • Jury Trial Requested

## I. PREVIOUS LAWSUITS

- A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

I have filed A lawsuit many years ago, However  
I do not have the information requested above so  
I cannot provide you with it.

**II. EXHAUSTION OF ADMINISTRATIVE REMEDIES**

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? • Yes • • No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? • Yes • • No
- C. If your answer to "B" is Yes:

1. What steps did you take? I tried to resolve the issue through written requests and then finally the grievance process.
2. What was the result? Although I proved my claims and received documents supporting my arguments, I was ignored totally.

- D. If your answer to "B" is No, explain why not: \_\_\_\_\_
- \_\_\_\_\_

**III. DEFENDANTS** (in order listed on the caption)

(1) Name of first defendant: THOMAS CARROL

Employed as WARDEN at DELAWARE CORRECTIONAL CENTER

Mailing address with zip code: 1181 PADDOCK ROAD SMYRNA DELAWARE  
19977

(2) Name of second defendant: DAVID PIERCE

Employed as DEPUTY WARDEN at DELAWARE CORRECTIONAL CENTER

Mailing address with zip code: 1181 PADDOCK ROAD SMYRNA DELAWARE  
19977

(3) Name of third defendant: CARL HAZZARD

Employed as CAPTAIN at DELAWARE CORRECTIONAL CENTER

Mailing address with zip code: 1181 PADDOCK ROAD SMYRNA DELAWARE  
19977

(List any additional defendants, their employment, and addresses with zip codes, on extra sheets if necessary)

## IV. STATEMENT OF CLAIM

(State as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets of paper if necessary.)

1. The plaintiff was prejudiced when he didn't receive a fair administrative hearing. During the month of September 2004 the defendant was accused of having contraband in his work locker. The contraband was said to be tobacco. The plaintiff was fired from his job and moved from minimum status to medium high status by Captain Hazzard without due process or disciplinary hearing. - See attached memorandum.
2. Warden Carroll received full knowledge of the illegal and adverse actions taken by Captain Hazzard but failed in his duty to correct the firing and administrative transfer of the plaintiff to a higher security of confinement. - see attached memorandum.
3. Deputy Warden Pierce has shown a deliberate act of indifference by ignoring the relevant fact that no disciplinary sanctions exist. He has deprived the plaintiff of ordinary fairness in exercising his rights against extreme punishment without due process. - See attached memorandum.

## V. RELIEF

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. The plaintiff wants to be reinstated back to his job in the motor-pool where he has worked for almost 20 years doing detail on automobiles.

2. The plaintiff wants to be compensated  
for all the time he's been denied reinstatement  
which totals the amount of 1,662.94  
dollars.
3. The plaintiff seeks the court to provide  
an injunction that will prevent the defendants  
any opportunity of administrative retaliation.

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 11 day of February, 2006

Donald E. K. Ward

(Signature of Plaintiff 1)

(Signature of Plaintiff 2)

(Signature of Plaintiff 3)

DONALD WARD - 141205 UNIT #E  
 DEL-CORR-CENTER  
 1181 PHADUCK ROAD  
 SMYRNA, DEL. 19777

U.S.M.S.  
 X-RAY



CLERK OF THE COU  
 U.S. DISTRICT COU  
 LOCKBOX #18  
 844 N. KING ST  
 WILMINGTON, DE

LEGAL  
 MAIL